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In re Patent Application of

MOUGIN, Nathalie

Atty. Ref.: 2365-34

Appl. No. 10/031,233

Group: 1617

Filed: January 17, 2002

Examiner: WELLS, L.

For: COSMETIC USE OF BLOCK ETHYLENIC COPOLYMERS OF ELASTIC
NATURE, AND OCMPOSITIONS CONTAINING THEM

* * * * *

August 4, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

Responsive to the Official Action dated July 2, 2003, the applicants elect, with
traverse, the subject matter of the Examiner's Group II for further prosecution in the
above.

Withdrawal of the restriction requirement is requested as the Examiner's basis for
a restriction is incorrect. Specifically, the Examiner asserts that restriction is appropriate
as the subject matter of the Examiner's Group I and Group II are allegedly related as
product and process of use. See, page 2 of the Office Action dated July 2, 2003 (Paper
No. 4). In fact, the subject matter of the Examiner's Group II is drawn to a product
(composition) while the subject matter of the Examiner's Group I is not drawn to a

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process of using the product, but rather a process of using copolymers. That is, the subject matter of the Examiner's Groups I and II are related as a process of use of a compound A (such as a copolymer) and a product (composition) containing such a compound A (copolymer). The Examiner's basis for requiring the restriction is thereof unfounded and mischaracterizes the claimed invention. Withdrawal of the restriction requirement and examination of all the pending claims is therefore requested.

The applicants elect, as a single disclosed species, and in order to be completely responsive, poly(methyl methacrylate-b-butyl acrylate-b-methyl methacrylate) triblock copolymers.

All of the claims 12-32 of the Examiner's Group II read on the elected species.

Reconsideration and withdrawal of the restriction requirement as well as an early and favorable Action on the merits of all the claims are requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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